

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

FELLOWES, INC.,	)	
	)	
Plaintiff,	)	Civil Action No.: 1:11-CV-08148
vs.	)	
	)	
ACCO BRANDS CORP.,	)	Honorable Harry D. Leinenweber
	)	
Defendant.	)	
	)	

**MOTION FOR FINAL JUDGMENT**

Due to the Memorandum Opinion and Order of April 22, 2019 (“Order”; D.E. 47), Plaintiff Fellowes, Inc. (“Fellowes”) respectfully moves this Court for Final Judgment in Civ. No. 1:11-cv-08148.

On September 16, 2013, Fellowes filed an amended complaint in this case, asserting infringement of United States Patent 9,020,796 and 8,464,767 (the ‘796 and ‘767 patents respectively). D.E. 34. On Sept. 30, 2013, defendant ACCO Brands Corp. (“ACCO”) filed an answer and counterclaim seeking a finding of invalidity and non-infringement of the ‘796 and ‘767 patents. D.E. 37. ACCO’s Motion to Stay (D.E. 35 filed Sept. 27, 2013) was granted on October 1, 2013 (D.E. 38). Fellowes moved to amend the complaint to add U.S. Patent No. 9,724,704 (the ‘704 patent), which ACCO opposed, and the motion was denied with the April 22<sup>nd</sup> Order. The Order bars Fellowes from moving forward with certain claims of the ‘796 and ‘704 patents. D.E. 47.

At present, Fellowes is aware of only those ACCO models, which are listed in its previously proposed Amended Complaint (D.E. 146-2 in 1:10-CV-07587), as infringing the claims of the ‘704 and ‘796 patents. The patent claims which Fellowes would assert against

those ACCO models are now barred. Accordingly, Fellowes seeks a Final Judgment in accordance with Rule 54(b) of the Federal Rules of Civil Procedure so that it may file an appeal.

Dated: May 6, 2016

Respectfully submitted,

/s/ William P. Atkins

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**COUNSEL FOR FELLOWES, INC.**

**CERTIFICATE OF SERVICE**

As an attorney of record in this matter, I hereby certify that, May 6, 2019, I caused a copy of the foregoing Motion for Final Judgment to be filed with the Court's CM/ECF system, which provides service to all counsel of record via electronic mail.

/s/ William P. Atkins

William P. Atkins